

WAR BETWEEN THE STATES

By Senator Charles E. Schumer

Last year, the Bureau of Alcohol, Tobacco and Firearms successfully traced 93,948 crime guns back to a retail dealer. Of these successful traces, 30,543 guns, or 32.5%, were traced back to a retail store in a state other than where the crime was committed. This report analyzes the 1999 trace data and, in particular, focuses on the out of state traces.

The analysis shows that:

- a handful of states with weak gun control laws are the source of thousands of guns used by criminals in states with strong gun control laws;
- conversely, very few guns find their way from states with strong gun laws to criminals in states with weak gun laws;
- gun runners have blazed one-way routes between specific states and regions where guns go from dealer to straw buyer to street criminal. For example, gun runners trafficked 1,685 guns from Florida, Georgia, the Carolinas, and Virginia, which were traced to crimes in New York; however, only 61 New York guns were traced to crimes committed in these five Southeastern states;
- criminals in states with weak gun laws mostly acquire guns within their state, whereas criminals in states with tough gun laws mostly acquire guns from an out of state source.

12 States Supplied More Than 1,000 Guns Traced to Out of State Crimes Last Year

Twelve states supplied more than 1,000 guns traced to out of state crimes last year and were the source of 57% of all out of state guns used in crimes. Four states with extremely lax gun laws – Florida, Georgia, Mississippi, and Texas – were the source of nearly one-fourth of all out of state crime guns nationwide.

By contrast, eight states with some of the strongest gun laws in the country -- New York, Illinois, Connecticut, Michigan, Missouri, New Jersey, Massachusetts, and Maryland -- were the source of less than 10% of all out of state crime guns.

| <u>State</u> | <u># out of state guns</u> | <u>Leading Victim States</u> |
|----------------|----------------------------|--|
| Florida | 2,065 | New York, DC, Tennessee |
| Georgia | 1,945 | New York, Tennessee, Illinois |
| Mississippi | 1,788 | Illinois, Tennessee, Louisiana |
| Texas | 1,696 | Illinois, California, Tennessee, NY |
| California | 1,682 | Texas, Illinois, New York |
| Indiana | 1,479 | Illinois, Tennessee, Ohio |
| Virginia | 1,433 | New York, Maryland, New Jersey |
| Kentucky | 1,164 | Tennessee, Illinois, Ohio, New York |
| Ohio | 1,068 | New York, Illinois, Michigan |
| Arizona | 1,066 | California, Texas, Illinois |
| Alabama | 1,060 | Tennessee, Illinois, Georgia, New York |
| North Carolina | 1,044 | New York, Virginia, New Jersey |

Florida, Georgia, Mississippi and Texas are habitual suppliers of guns used in crimes committed outside of their state. None of these states require licensing or registration of handguns, limit the number of guns a person may purchase at any given time, require any waiting period beyond Brady before the purchase of a gun, dictate any reporting requirement if an individual sells or transfers a gun to someone else, or puts any restrictions on the sale of guns at gun shows.

Between 1997 and 1999, Florida and Georgia ranked either first, second or third in out of state crime guns. Texas ranked second in 1996, fourth in 1997, fifth in 1998 and fourth in 1999. Mississippi's ranking climbed from 8th in 1996 to sixth in 1997, seventh in 1998, and third in 1999.

Facts About the Worst Actors

Florida (2,065 guns traced to out of state crimes in 1999)

- Florida's gun laws: There is no licensing, permitting, or registration requirement for any firearm. There is no limit on the number of guns that may be purchased at one time. Background checks are not required at gun shows or for any private transfer of a gun. Florida's only significant gun restrictions beyond national law are a waiting period of 3 days before the purchase of a handgun and parents may be held liable if a child uses an unlocked weapon to kill or injure another.
- The leading destinations for Florida crime guns: New York - 340, DC - 207, Illinois - 181, Tennessee - 153, Virginia - 123, Georgia - 120, Texas - 114, New Jersey - 97, Maryland - 80, California - 76, Puerto Rico - 75, Pennsylvania - 50
- Florida was one of the top 3 supplier states of crime guns to 12 destinations: Connecticut - 1st, DC - 1st, Puerto Rico - 1st, Georgia - 2nd, Maine - 2nd, New York - 2nd, Rhode Island - 2nd, South Carolina - 3rd, Virginia - 3rd, Alabama - 3rd, Louisiana - 3rd, Massachusetts - 3rd
- At least one Florida gun was recovered in 45 states (Nebraska, New Hampshire, South Dakota, Wyoming were the exceptions.)
- Only 21% of the guns traced to crimes committed in Florida came from out of state.
- No Florida crime guns came from DC, 30 came from New York, 16 from Illinois, 11 from

Maryland, 5 from Massachusetts, and 11 from New Jersey.

Georgia (1,945 guns traced to out of state crimes in 1999)

- Georgia's gun laws: There is no licensing, permitting, or registration requirement for any firearm. There is no limit on the number of guns that may be purchased at one time, minimum age for purchase or requirement that background checks be performed at gunshows or for any private transfer of a gun.
- The leading destinations for Georgia crime guns: New York - 339, Tennessee - 279, Illinois - 196, Florida - 169, New Jersey - 109, Virginia - 107, Alabama - 106, Maryland - 73, Texas - 72, Pennsylvania - 64, Michigan - 54, North Carolina - 52.
- Georgia was one of the top 3 supplier states of crime guns to 10 destinations: Alabama - 1st, Florida - 1st, Massachusetts - 2nd, Michigan - 2nd, South Carolina - 2nd, New Jersey - 3rd, New York - 3rd, North Carolina - 3rd, Pennsylvania - 3rd, Tennessee - 3rd
- Only 19% of the guns traced to crimes committed in Georgia came from out of state.
- Only 3 Georgia crime guns came from New York, 2 from New Jersey, 0 from DC, 3 from Massachusetts, 8 from Michigan, 10 from Illinois and 3 from Maryland.

Mississippi (1,788 guns traced to out of state crimes in 1999)

- Mississippi's gun laws: There is no licensing, permitting, or registration requirement for any firearm. There is no limit on the number of guns that may be purchased at one time, minimum age for purchase or requirement that background checks be performed at gunshows or for any private transfer of a gun. The only significant gun restriction beyond federal law is that parents may be held liable if a child uses an unlocked gun to kill or injure another.
- The leading destinations for Mississippi crime guns: Illinois - 780, Louisiana - 102, Missouri - 79, Tennessee - 365, Texas - 64.
- Mississippi was one of the top 3 supplier states of crime guns to 5 destinations: Louisiana - 1st, Tennessee - 1st, Wisconsin - 1st, Illinois - 2nd, Alabama - 3rd.
- Only 25% of the guns traced to crimes committed in Mississippi came from out of state.
- No guns used in Mississippi crimes originated from Illinois, Wisconsin, or New York stores. 1 was traced to a Missouri dealer.

Texas (1,696 guns traced to out of state crimes in 1999)

- Texas' gun laws: There is no licensing, permitting, or registration requirement for any firearm. There is no limit on the number of guns that may be purchased at one time, minimum age for purchase or requirement that background checks be performed at gunshows or for any private transfer of a gun. The only significant gun restriction beyond national law is that parents may be held liable if a child uses an unlocked gun to kill or injure another.
- The Center on Crime, Communities and Culture of the Open Society Institute ranks Texas gun laws 47th weakest of the 50 states.
- The leading destination for Texas crime guns: Illinois - 231, California - 170, Tennessee - 134, New York - 132, Louisiana - 94, Virginia - 88, Missouri - 86, Florida - 68, New Mexico - 66.
- Texas was one of the top 3 supplier states of crime guns to 13 destinations: Arkansas - 1st,

Kansas - 1st, Louisiana - 1st, New Mexico - 1st, Oklahoma - 1st, Arizona - 2nd, California - 2nd, Colorado - 2nd, District of Columbia - 3rd, Florida - 2nd, Missouri - 3rd, Nevada - 3rd, Oregon - 3rd

- At least one Texas gun was traced to a crime committed in every state except Alaska, Nebraska, South Dakota, and Wyoming.
- Only 27% of the guns traced to crimes committed in Texas came from out of state.
- Texas, with 7,663 gun stores, is home to more licensed firearms dealers than any other state and has 1,100 more licensed gun stores than California (6,535), the number 2 state.
- 16 New York guns, 45 Illinois guns, 22 Tennessee guns and 30 Missouri guns were traced to Texas crimes.

Criminals in States with Weak Gun Laws Use In-State Guns; Those in States with Strict Laws Rely on Out-of-State Guns

35 states had at least 300 successful crime gun traces last year. Of these 35 states, the six states with the strictest gun control laws had the most crime guns originate from out of state. Four of the states had at least half of their crime gun traces come from out of state and two others had at least 40% of their crime traces come from other states.

**The States with the Highest Percentage of Out of State Gun Traces Have Strict Gun Laws
(Minimum of 300 traces)**

| <u>State</u> | <u>% Out of State Guns</u> | <u>Leading Suppliers and # of Guns</u> |
|---------------------|-----------------------------------|---|
| New Jersey | 71% | Pennsylvania (148), Virginia (136) |
| New York | 67% | Virginia (459), Florida (340) |
| Missouri | 53% | Kansas (693), Illinois (226) |
| Massachusetts | 51% | New Hampshire (68), Georgia (48) |
| Illinois | 42% | Indiana (879), Mississippi (780) |
| Michigan | 41% | Ohio (120), Georgia (54) |

- New Jersey requires assault weapons to be registered, background checks at gun shows and for all private transfers of handguns, and a permit to purchase handguns and assault weapons. Parents are potentially liable if a child uses an unlocked gun to injure another.
- New York requires handguns to be licensed and registered as well as a permit to purchase handguns and assault rifles. Background checks are required at gunshows and for all private transfers of handguns.
- Missouri bars anyone under the age of 21 from possessing a handgun, requires a background check at gunshows and for all private transfers of handguns, has a waiting period of 7 days before the purchase of a gun and requires a permit for all handgun purchases.
- Massachusetts requires all handguns, rifles, and assault weapons to be registered, gun buyers must pass a safety course in order to qualify for a license, Saturday Night specials are illegal, anyone under the age of 21 is barred from owning a firearm, background checks are required at gunshows and for all private transfers of handguns, and parents are potentially liable if a child uses an unlocked gun to injure another.
- Illinois bans Saturday Night specials, forbids anyone under the age of 21 from owning a firearm, requires owners of all firearms to be licensed, and parents are potentially liable if a child uses an unlocked gun to injure another.
- Michigan requires handguns to be registered and owners must pass a safety training course before being allowed to purchase a handgun.

**The States with the Highest Percentage of *In State* Gun Traces Have Lax Gun Laws
(Minimum of 300 traces)**

| <u>State</u> | <u>% of In State Guns Used in Crimes</u> |
|---------------------|---|
| Indiana | 89% |
| Louisiana | 82% |
| Arizona | 81% |
| Georgia | 81% |
| California | 79% |
| Florida | 79% |

- Indiana, Louisiana, Arizona, and Georgia have no significant gun restrictions beyond federal law. Florida has no significant gun restrictions with the exception that parents may be held liable if a child uses an unlocked gun to injure another. California, which traditionally has had weak gun laws, enacted tough gun restrictions only last year.

Firearms Freeways Used To Traffic Guns on Familiar Routes

Certain states supply an inordinate amount of guns to select states, indicating a trafficking pattern connecting gun stores to gun runners to gun buyers in states with tough gun laws who cannot pass a Brady check.

- I-95: Florida, Georgia, North and South Carolina, and Virginia are the source states for a vast gun running effort that stretches up the coast to New England. These five states supplied 3,623 guns traced to crime in DC, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island and Massachusetts. Conversely, these Mid-Atlantic and New England states supplied only 869 to crimes committed in these five Southeastern states of which more than half were Maryland guns used in Virginia crimes.
- Kansas was the source of 693 guns traced to crimes committed in Missouri. Missouri was the source of 12 guns traced to crimes in Kansas.
- Mississippi was the source of 780 guns traced to crimes in Illinois. Illinois was the source of 0 guns traced to crimes in Mississippi.

Sources

All gun trace data derives from raw, unanalyzed data obtained from the Bureau of Alcohol, Tobacco and Firearms. Information about state gun laws was supplied by the Center on Crime, Communities and Culture of the Open Society Institute through its report, "Gun Control in the United States: A Comparative Survey of State Firearms Laws."